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ROSATI | SCHULTZ
JOPPICH | AMTSBUECHLER

October 9, 2026

Supreme Court
Attn: Clerk's Office
1 First Street, NE
Washington, D.C. 20543

Re: *Rubicon Real Estate Holding, LLC, et al v City of Pontiac, MI, et al*
Supreme Court Case No. 26-359
Sixth Circuit Case No. 25-1631
E.D. Mich. Case No. 23-10439

Dear Clerk of the Court:

Enclosed please find the Respondents' Waiver of Response form for Case No. 26-359.
Should you need any additional information, please feel free to contact my office.

Very truly yours,

ROSATI SCHULTZ JOPPICH
& AMTSBUECHLER PC

Michael T. Berger

MTB/skb

Enclosure

cc : Cindy Rhodes Victor (via email and regular mail)

W A I V E R

Supreme Court of the United States

No. 26-359

Rubicon Real Estate Holdings, LLC, et al. v.
(Petitioners)

City of Pontiac, Michigan, et al.
(Respondents)

I DO NOT INTEND TO FILE A RESPONSE to the petition for a writ of certiorari unless one is requested by the Court.

Please check the appropriate box:

☒ I am filing this waiver on behalf of all respondents.

☐ I only represent some respondents. I am filing this waiver on behalf of:

Please check the appropriate box:

☒ I am a member of the Bar of the Supreme Court of the United States. (E-file signed waiver)

☐ I am not presently a member of the Bar of this Court. Should a response be requested, the response will be filed by a Bar member. (Mail signed waiver to: Supreme Court, Attn: Clerk's Office, 1 First Street, NE, Washington, D.C. 20543).

Corporate disclosure statement required by Rule 15.9 (or write N/A):

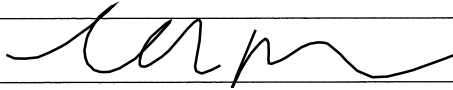
N/A

Parties to the proceeding not identified by the petition (or write N/A):

N/A

Stock ticker symbols, if any, for parties, corporations, or companies listed above (or write N/A):

N/A

Signature  Date: 10/9/2026

(Type or print) Name Michael T Berger

☒ Mr.

☐ Ms.

☐ Mrs.

☐ Miss

Firm Rosati Schultz Joppich & Amtsbuechler, P.C.

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A COPY OF THIS FORM MUST BE SENT TO PETITIONER. NO ADDITIONAL CERTIFICATE OF SERVICE OR COVER LETTER IS REQUIRED.

cc: Cindy Rhodes Victor, The Victor Firm, PLLC
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Southfield, MI 48034
cvictor@victor firm.com